

# COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **OPTICALLY CORRECT AND CLEAR EYESHIELDS**. The specification of which was filed on May 09, 2001 as U.S. Patent Application Serial No.: 09/852,406. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claim	
	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

Number	Country	Day/Month/Year Filed
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:		

29/130,115	September 26, 2000	Pending
Application Serial No.	Filing Date	Status: Patented, Pending, Abandoned
29/130,173	September 27, 2000	Pending
Application Serial No.	Filing Date	Status: Patented, Pending, Abandoned

I hereby claim the benefit under Title 35, United States Code, § 119(c) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
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I hereby appoint the following as my attorneys with full power of substitution to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith:

Thomas B. Haverstock	32,571	Jonathan O. Owens	37,902
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Please direct all correspondence regarding this application to the following:

Thomas B. Haverstock  
 HAVERSTOCK & OWENS LLP  
 260 Sheridan Avenue, Suite 420  
 Palo Alto, California 94306

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Joint Inventor: Henry Welling Lane

Inventor's Signature: \_\_\_\_\_

8.24.01

Date

Residence: 6120 Madbury Court, San Luis Obispo, CA 93401

Citizenship: United States

Post Office Address: 6120 Madbury Court, San Luis Obispo, CA 93401

Full Name of Second Joint Inventor: Ronald L. Underwood

Inventor's Signature: \_\_\_\_\_

8.24.01

Date

Residence: 5921 Birkdale Lane, San Luis Obispo, CA 93401

Citizenship: United States

Post Office Address: 5921 Birkdale Lane, San Luis Obispo, CA 93401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lane, Henry, et. al

Serial No. 09/852,406

Group Art Unit: 3765

Filing Date: 05/09/2001

Examiner Name: Nerburn, Peter P.

Title: OPTICALLY CORRECT AND CLEAR EYESHIELDS

\* \* \*

*STATEMENT UNDER 37 CFR 3.73(b)*

Commissioner for Patents  
Washington, DC 20231

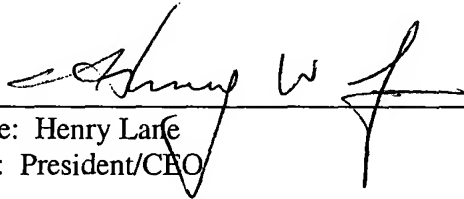
Sir:

Dioptics Medical Products, Inc. states that it is the assignee of the entire right, title and interest in the patent application/patent identified above by virtue of an assignment from the inventor(s), of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012139, Frame 0278 or for which a copy thereof is attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Dioptics Medical Products, Inc.

Dated March 12, 2003

  
\_\_\_\_\_  
Name: Henry Lane  
Title: President/CEO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lane, Henry, et. al

Serial No. 09/852,406

Group Art Unit: 3765

Filing Date: 05/09/2001

Examiner Name: NERBUN, PETER P.

Title: OPTICALLY CORRECT AND CLEAR EYESHIELDS

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***REVOCATION OF PRIOR POWER OF ATTORNEY  
AND NEW POWER OF ATTORNEY***

Commissioner for Patents  
Washington, DC 20231

Sir:

Dioptics Medical Products, Inc., assignee of record of the entire interest (Statement under 3.73(b) is enclosed) hereby revokes any and all previous Powers of Attorney in the above-entitled matter and hereby executes the following new Power of Attorney.

***POWER OF ATTORNEY***

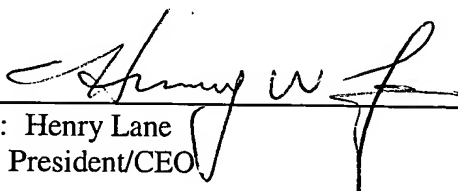
Assignee, Dioptics Medical Products, Inc., hereby appoints Derek J. Westberg (Reg. No. 40,872) as attorney with full power of substitution and revocation to prosecute the application identified above and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address and direct all future communications regarding this application to:

Derek J. Westberg  
Law Offices of Derek J. Westberg  
2 North Second Street, Suite 1390  
San Jose, CA 95113  
Tel.: (408) 293-9090

Dioptics Medical Products, Inc.

Dated March 12, 2003

  
\_\_\_\_\_  
Name: Henry Lane  
Title: President/CEO